THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24066 of 2007

Between:

K.Narapa Reddy.

.. PETITIONER

and

The District Collector and another.

.. RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24066 of 2007

-

ORDER:

It is the case of the petitioner that he is in possession and enjoyment of the lands admeasuring Ac.1-45 cents in Sy.No.145/2 and Ac.0-80 cents in Sy.No.146/8 situated at P.Kothapalli Village, Garladinne Mandal, Anantapur District. While so, the 2nd respondent issued notice, dated 02-04-2007, under Rule 3 of A.P.Assigned Lands (Prohibition of Transfers) Rules, 1977 (for short "the Act") alleging that he is in possession of the land admeasuring Ac.5-00 cents in Sy.No.145/2 situated at P.Kothapalli Village, Garladinne Mandal, Anantapur District, which was originally assigned to one Mangala Vannurappa and the said assignee transferred the said land in favour of the petitioner in violation of provisions of Sub-Section (2) of Section 3 of the Act. It is stated that pursuant to the said notice, the petitioner filed an explanation on 12-04-2007. Pending disposal of the proceedings under the Act, the petitioner filed a representation, dated 14-08-2007, before the District Collector for grant of patta or alienate the land in question on payment of the market value.

I am of the opinion that if the land in question is an assigned land, the petitioner is not entitled for grant of any patta. Therefore, the application filed by the petitioner before the District Collector for grant of patta or alienate the land in question on payment of the market value cannot be considered, as there is no provision under the Act to grant patta or alienate the assigned land in favour of anybody on payment of the market value. Therefore, the writ petition is misconceived and not maintainable and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

_____

15-11-2007

Prv